

PTO/SB/17 (02-07)
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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEET TRANSMITTAL**
For FY 2007 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 500.00)

Complete If Known

| | |
|----------------------|----------------|
| Application Number | 10/538,413 |
| Filing Date | 06/10/2005 |
| First Named Inventor | Helmut Rupp |
| Examiner Name | Gilbert Y. Lee |
| Art Unit | 3673 |
| Attorney Docket No. | 2002P84076WOUS |

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AUG 22 2007

METHOD OF PAYMENT (check all that apply) Check Credit Card Money Order None Other (please identify): Deposit Account Deposit Account Number: 19-2179 Deposit Account Name: Siemens Corporation

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

 Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fee Paid (\$) |
|------------------|-------------|--------------|-------------|--------------|------------------|--------------|---------------|
| | Fee (\$) | Small Entity | Fee (\$) | Small Entity | Fee (\$) | Small Entity | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Small Entity**Fee (\$)**

50 25

Each independent claim over 3 (including Reissues)

200 100

Multiple dependent claims

360 180

| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|----------|---------------|
|--------------|--------------|----------|---------------|

Multiple Dependent Claims**Fee (\$)**

Fee Paid (\$)

| | | |
|--------------|---|---|
| - 20 or HP = | x | = |
|--------------|---|---|

HP = highest number of total claims paid for, if greater than 20.

| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |
|---------------|--------------|----------|---------------|
|---------------|--------------|----------|---------------|

| | | |
|-------------|---|---|
| - 3 or HP = | x | = |
|-------------|---|---|

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--------------------------------------------------|----------|---------------|
|--------------|--------------|--------------------------------------------------|----------|---------------|

| | | | | |
|---------|--------|--------------------------------|---|--|
| - 100 = | / 50 = | (round up to a whole number) x | = | |
|---------|--------|--------------------------------|---|--|

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Fee Paid (\$)

Other (e.g., late filing surcharge): Filing a Brief in Support of an Appeal under 37 CFR 41.20(b)(2)

500.00

SUBMITTED BY

| | | | |
|-------------------|-------------------------------------------------------------------------------------|---------------------------------------------|------------------------|
| Signature |  | Registration No. (Attorney/Agent) 44,981 | Telephone 407-736-6449 |
| Name (Print/Type) | John P. Musone | | Date August 22, 2007 |

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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AUG 22 2007**FACSIMILE COVER SHEET****In the UNITED STATES PATENT AND TRADEMARK OFFICE**

First Named Inventor: Helmut Rupp

Application No. 10/538,413

Attorney Docket No. 2002P84076WOUS

Filed: June 10, 2005

Title: BRUSH SEAL FOR SEALING A GAP BETWEEN A ROTOR AND A STATOR

Examiner: Gilbert Y. Lee

Art Unit: 3673

⇒ **FACSIMILE ATTN TO: GILBERT Y. LEE****FAX NO.: 571-273-8300****NOTICE OF APPEAL AND APPEAL BRIEF**

Mail Stop Appeal Brief - Patent
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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PTO/SB/31 Notice of Appeal (2 pgs. – original + 1 copy)
Appeal Brief (20 pgs)
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Number of pages being transmitted (Including this cover sheet): 26 pgs

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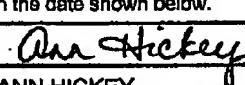
Siemens CorporationLegal and Intellectual Property
Department4400 Alafaya Trail
Orlando Florida 32826Tel: 407-736-2472
FAX: 407-736-6440

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|----------------------------------------------------------|----|------------------------|----------------|
| TRANSMITTAL FORM | | Application Number | 10/538,413 |
| | | Filing Date | June 10, 2005 |
| | | First Named Inventor | Helmut Rupp |
| | | Art Unit | 3673 |
| | | Examiner Name | Gilbert Y. Lee |
| (to be used for all correspondence after initial filing) | | | |
| Total Number of Pages in This Submission | 26 | Attorney Docket Number | 2002P84076W0US |

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|---------------------------------------------------|-------------------------------------------------------------------------------------|----------|--------|
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
| Firm | SIEMENS | | |
| Signature |  | | |
| Printed Name | JOHN P. MUSONE | | |
| Date | AUGUST 22, 2007 | Reg. No. | 44,961 |

| | | | |
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| Typed or printed name | ANN HICKEY | Date | AUGUST 22, 2007 |

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